

REMARKS

Claims 1-9 are pending in the application. By this paper, claims 2, 4 and 6 have been amended and claim 8 has been cancelled. No new matter is added by any of these amendments. Reconsideration and allowance of the application are respectfully requested.

Allowable Subject Matter

Claims 1, 3-7 and 9 stand allowed, which is thankfully acknowledged by applicants. Accordingly, only claims 2 and 8 remain at issue.

Claim Objections

Claims 4 and 6 stand objected to as lacking antecedent basis for certain limitations of these claims. According to the Office Action, these claims depend on claims 1 and 3 which refer to "data segments." However, according to the Office Action, it is unclear which of the data segments is referred to by claims 4 and 6.

Claim 4 is dependent on claim 3 which recites "said minimum delay time estimating unit obtains estimated values of delay time for *a plurality of data segments...*" (*emphasis added*). Accordingly, claim 4 has been amended to recite "wherein *said plurality of data segments* is a data unit representing voice" (*emphasis added*). It is respectfully submitted that the antecedent basis for "said plurality of data segments" is clear based on this amendment to claim 4.

Claim 6 is dependent from claim 1 which recites "a delay time estimating unit for estimating a delay time required for transmitting *each data segment...*" (*emphasis added*). Claim 6 as amended recites "said delay time estimating unit estimates delay time of *said each data segment...*" (*emphasis added*). It is respectfully submitted that the antecedent basis for "said each data segment" is clear based on this amendment to claim 6.

Withdrawal of the objections to claims 4 and 6 is respectfully requested.

Claim Rejections under 35 U.S.C. § 112

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. According to the office action, the limitation “wherein said receiving unit receives a plurality of training data segments before receiving a data segment to which deference is to be applied” is unclear. The Office Action states that it is not clear how the word “deference” is being applied to this claim.

By this paper, claim 2 has been amended to overcome this rejection. In claim 2, the word “deference” has been replaced by the term “delay time.” It is respectfully submitted that this amendment clarifies the recitation of claim 2. Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claim rejections under 35 U.S.C. § 101

Claim 8 stands rejected under 35 U.S.C. § 101. According to the office action, the claimed invention is directed to non-statutory subject matter.

Accordingly, by this paper, claim 8 has been cancelled, obviating this rejection. Withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

Objection to the Drawings

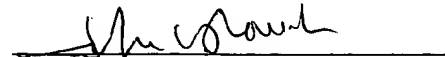
Several of the figures of the drawing stand objected to in the office action. According to the office action, Figures 12-17 should be amended to include the legend “Prior Art.” By this paper, the drawing is amended to submit replacement sheets bearing the appropriate legend for the specified drawings. No new matter is added; the only change made is addition of the required legend. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Application no. 09/827,639
Amendment dated: February 4, 2005
Reply to office action dated: November 4, 2004

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,

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John G. Rauch
Registration No. 37,218
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

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Amendments to the Drawing

The attached sheets of drawings include changes to FIGS. 12-17. These sheets replace the original sheets including FIGS. 12-17.

Attachment: Replacement sheets